IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.194 OF 2005
IN
SUMMARY SUIT NO.3165 OF 2004

Ketan Jhaveri ....Plaintiff
V/s.
Krishna Diamond Tools Pvt.Ltd. ....Defendant

Mr.M. Rathod i/b M/s.Sunil & Co. for the Plaintiff.
None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH NOVEMBER, 2005.

P.C. :

1. The suit is filed to recover the price of the goods sold and delivered by the Plaintiff to the Defendant under the terms and conditions contained in and/or evidenced by the invoices referred to in paragraph 3 of the plaint. That the goods were received is admitted. That the amount is due is acknowledged by the Defendant's letter dated 22nd September, 2002. Under the cover of the said letter, the Defendant stated that it would forward its post dated cheques. The cheques were not actually forwarded.

2. There is no affidavit in reply. There is no

defence to the suit.

3. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed as prayed with costs. The interest however, shall be at the rate of 12% p.a.

. Refund as per rules.